IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WA.No. 2366 of 2006()

AGAINST THE JUDGEMENT IN WPC.25525/2006 Dated 05/12/2006
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APPELLANT: 4TH RESPONDENT

O.GEETHA, GEETHANJALI MADAM,
CHITTATUMUKKU P.O., KANIYAPURAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.B.SURESH KUMAR

RESPONDENTS/PETITIONER AND RESPONDENTS 1 TO 3
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1. J.PUSHPANGATHAN, PROPRIETOR,
J.P.INDUSTRIES, PADINJATTUMUKKU,
CHITTATTUMUKKU P.O., (VIA) KANIYAPURAM,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

3. KADINJANKULAM GRAMA PANCHAYAT,
REP. BY ITS SECRETARY, CHITTATTUMUKKU P.O.,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF INDIGENOUS,
M.G.ROAD, AYURVEDIC COLLEGE, THIRUVANANTHAPURAM.

R2 BY GOVERNMENT PLEADER MR.T.B.HOOD

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & C.N.RAMACHANDRAN NAIR, J.

W.A.No.2366 of 2006

Dated, this the 14th day of December, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

After arguing for some time, learned counsel for the appellant says that this writ appeal be dismissed as withdrawn, but he contends that from the nature of the relief and also that proceedings under Section 133 of the Code of Criminal Procedure are emergent in nature, the District Magistrate, may be directed to deal with and dispose of the proceedings under Section 133 of the Code of Criminal Procedure as expeditiously as possible. In the peculiar facts and circumstances of the case, while dismissing the writ appeal as withdrawn we direct the District Magistrate, Thiruvananthapuram to deal with and expeditiously dispose of the proceedings under Section 133 of the Code of Criminal Procedure finally, and preferably within a period of six weeks from today.

Writ appeal is disposed of accordingly. A copy of this order be sent immediately to the District Magistrate, Thiruvananthapuram.

V.K. BALI,
CHIEF JUSTICE.

C.N.RAMACHANDRAN NAIR,
JUDGE.

vns